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Bayer Corporation
800 Dwight Way
P.O. Box 1986
Berkeley, California 94701-1986

Bayer Corporation

Fax

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To: Dr. Gary B. Nickol From: John W. Mahoney

Fax: (703) 872-9306 Pages: 5 plus cover

Phone: (571) 272-0835 Date: August 26, 2004

Re: Response to Restriction Requirement CC:

APPLICATION NUMBER 10/018,386

Urgent AS REQUESTED Please Comment Please Reply Please Recycle

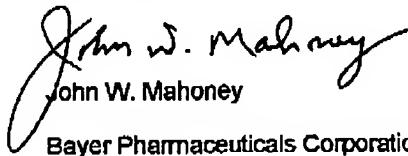
• **Comments:**

Dear Examiner Nickol

Attached is a response to the Election Requirement mailed July 29, 2004 in the reference case. With this response, Bayer is electing without traverse to prosecute the claims of Group 1.

Please call me at (510) 705-7725 if you have any questions regarding this matter.

Kind Regards,


John W. Mahoney

Bayer Pharmaceuticals Corporation

Reg. No. 44,892